

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

The Court, having reviewed Plaintiff's Motion to Exclude Mildred Miller's Medical Negligence Settlement from Any Potential Medicare Repayment of Lien, all papers and exhibits in support and in opposition to that motion, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Plaintiff's motion (Dkt. No. 39) is GRANTED. The parties' proposed settlement is not subject to any medicare repayment or lien.

01 (3) The Clerk is directed to send copies of this Order to the parties and to Judge  
02 Donohue.

03 DATED this 12<sup>th</sup> day of March, 2007.  
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06 Robert S. Lasnik  
07 United States District Judge